

ALLEN BIAGGI, *Administrator*

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Water Pollution Control  
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Mining Regulations & Reclamation  
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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
**DIVISION OF ENVIRONMENTAL PROTECTION**

333 W. Nye Lane, Room 138  
Carson City, Nevada 89706

## Notice of Proposed Action

The Administrator of the Division of Environmental Protection gives notice that an application for a Water Pollution Control Permit for the **Rose Gulch Project**, a mining facility utilizing physical separation methods to extract gold, has been properly filed with the Division of Environmental Protection in Carson City. The applicant for Water Pollution Control Permit **NEV2004101** is:

John M. Heizer, Jr.  
Rose Gulch Project  
P.O. Box 1  
Lovelock, Nevada 89419

The facility, known as the Rose Gulch Project, is located on private land in central Pershing County, Nevada, within a portion of Section 9, Township 28 North, Range 33 East, Mount Diablo Baseline and Meridian, approximately 14 air-miles northeast of the town of Lovelock and 54 air-miles southwest of the town of Winnemucca.

The project consists of a physical separation mining operation (Nevada Administrative Code 445A.414) with a maximum production rate of 5,000 tons of ore per year. Gold will be extracted from Rose Gulch gravels using a loader/backhoe, a portable placer plant, a lined make-up water storage pond, and associated pumps and pipelines. Chemicals are not approved for use in the beneficiation process and make-up water, obtained from Lovelock Meadows Water District Well N<sup>o</sup>. 45577, will be recycled. Facilities are required to be designed, constructed, operated and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the design storm event. The operation, located on private land, is anticipated to disturb less than five (5) acres.

This notice is for electronic distribution

The Administrator is constrained to issue the Water Pollution Control Permit or to deny the application. The Administrator has made the tentative decision to issue the permit.

Persons wishing to comment upon the proposed Water Pollution Control Permit, to recommend terms and conditions for consideration of incorporation into the permit, or who request a public hearing pursuant to the Nevada Administrative Code, NAC Chapter 445A, must submit their written comments, objections, or requests no later than 5:00 PM on the 30<sup>th</sup> day following the date of publication of this notice (**02 July 2004**) to:

Division of Environmental Protection  
Bureau of Mining Regulation and Reclamation  
Capitol Complex  
333 West Nye Lane, Room 138  
Carson City, Nevada 89706-0851

All comments or objections received during the public notice period will be considered in the final determination regarding this Water Pollution Control Permit. If the Division determines written comments or requests indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 445A.405.

The draft Water Pollution Control Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS 445A.665. For more information, contact Miles Shaw at (775) 687-9409, toll free in Nevada (800) 992-0900, extension 4670, or visit our website at <http://ndep.nv.gov/bmrr/bmrr01.html>